

1 John E. Sweeney, Esq. (State Bar No. 116285)

**THE SWEENEY FIRM**

2 315 S. Beverly Drive, Suite 305

Beverly Hills, CA 90212

3 Tel. No.: (310) 277-9595

Fax No.: (310) 277-0177

4 E-Mail: jes@thesweeneyfirm.com

5 Steven C. Glickman, Esq. (State Bar No. 105436)

**GLICKMAN & GLICKMAN,**

**A LAW CORPORATION**

6 15233 Ventura Boulevard, Suite 400

7 Beverly Hills, CA 91403

8 Tel. No.: (310) 273-4040

Fax No.: (310) 273-0829

9 E-Mail: scg@glickman-law.com

10 Attorneys for Plaintiff SHELDON LOCKETT

11  
12 **UNITED STATES DISTRICT COURT**  
13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
14

15 SHELDON LOCKETT,

16 Plaintiff,

17 v.  
18

19 COUNTY OF LOS ANGELES, et al.,

20 Defendants.  
21

Case No.: 2:18-cv-5838-DSF-JPR

**DECLARATION OF STEVEN C.  
GLICKMAN IN SUPPORT OF  
PLAINTIFF'S MOTION TO  
BIFURCATE ISSUES OF  
LIABILITY AND DAMAGES AT  
TRIAL**

*Filed concurrently with Notice of  
Motion and Memorandum of Points  
and Authorities*

Pre-Trial

Conference: November 15, 2021

Time: 3:00 p.m.

24 Trial: December 14, 2021

Time: 8:30 a.m.

26 Judge: Hon. Dale S. Fischer

Courtroom: 7D

27 Courthouse: First Street Courthouse  
28 350 West 1st Street  
Los Angeles, CA

**DECLARATION OF STEVEN C. GLICKMAN**

I, Steven C. Glickman, declare as follows:

1. I am an attorney admitted to the United States District Court for the Central District of California, and duly licensed to practice law in California. I am a principal at Glickman & Glickman, ALC, co-counsel of record for Plaintiff Sheldon Lockett ("Plaintiff"). If called upon to testify, I could and would competently testify to the following facts as they are within my personal knowledge.

2. The summary of facts set forth in the accompanying Memorandum of Points and Authorities is a true and accurate summary of the facts, including those facts relating to to defendant Samuel Aldama's knowledge of Plaintiff or any of Plaintiff's criminal history at the time of the subject incident. Attached hereto as **Exhibit 1** is a true and correct copy of an excerpt from the deposition of defendant Aldama, Volume I, at pages 150:11-151:1. Defendant Aldama testified that he never knew that Plaintiff was on probation or parole, and in fact had never seen him before the day of the subject incident and did not know anything about him.

3. Prior to the filing of this motion to bifurcate, I gave notice of our intent to file and the grounds therefor to all Defendants by email in June 2020 (when the case was approaching trial before Judge Walsh) and again during an October 4, 2021, Zoom meeting with all counsel. Defendants were not willing to stipulate to bifurcation of the trial into a liability phase and damages phase nor to excluding the evidence relating to Plaintiff's criminal history from the liability phase.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed this 14th day of October, 2021, at Sherman Oaks, California.

By /s/ Steven C. Glickman  
Steven C. Glickman

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

SHELDON LOCKETT, )  
) CASE NO.  
) 2:18-CV-5838-PJW  
PLAINTIFF, )  
)  
VS. )  
)  
COUNTY OF LOS ANGELES, A PUBLIC )  
ENTITY; LOS ANGELES COUNTY )  
SHERIFF'S DEPARTMENT, A LAW )  
ENFORCEMENT AGENCY; SHERIFF )  
JIM MCDONNELL; MIZRAIN ORREGO, A )  
DEPUTY LOS ANGELES COUNTY SHERIFF; )  
SAMUEL ALDAMA, A DEPUTY )  
LOS ANGELES COUNTY SHERIFF; AND )  
DOES 1 THROUGH 100, INCLUSIVE, )  
\_\_\_\_\_ )

PORTIONS OF THIS TRANSCRIPT ARE CONFIDENTIAL

VIDEOTAPED DEPOSITION OF DEPUTY SAMUEL ALDAMA

LOS ANGELES, CALIFORNIA

THURSDAY, DECEMBER 19, 2019

VOLUME I

JOB NO. 3815413

REPORTED BY: VICTORIA I. WERTZ, RPR, CSR NO. 7999

PAGES 1-162

PAGES 39 - 103 ARE CONFIDENTIAL AND ARE BOUND SEPARATELY

Page 1

<p>1 BY MR. SWEENEY: 04:51:07</p> <p>2 Q How long did it take to come up with this 04:51:07</p> <p>3 plan? 04:51:09</p> <p>4 A Seconds. 04:51:10</p> <p>5 Q Okay. 04:51:11</p> <p>6 Who held the gun on Mr. Lockett while you 04:51:12</p> <p>7 formulated this plan? 04:51:16</p> <p>8 A Me. 04:51:18</p> <p>9 Q I'm sorry? 04:51:21</p> <p>10 A Myself. 04:51:23</p> <p>11 Q From the time you first approached Lockett 04:51:49</p> <p>12 in that courtyard -- sorry. Sorry -- on Spruce, 04:51:51</p> <p>13 until the time he was on the ground, you did not 04:51:57</p> <p>14 know whether or not he was on probation or parole; 04:52:01</p> <p>15 isn't that correct? 04:52:10</p> <p>16 A Correct. 04:52:10</p> <p>17 Q Had you ever seen Mr. Lockett before in 04:52:15</p> <p>18 your life -- before this day? 04:52:17</p> <p>19 A You are talking about the incident date? 04:52:21</p> <p>20 Q Yes. 04:52:23</p> <p>21 A No. 04:52:24</p> <p>22 Q You didn't know anything about him, 04:52:25</p> <p>23 correct? 04:52:27</p> <p>24 A No. 04:52:28</p> <p>25 Q Am I correct? 04:52:28</p> <p style="text-align: right;">Page 150</p>	<p>1 A Yes. 04:53:54</p> <p>2 Q Tell me the position of his hands when he 04:53:55</p> <p>3 proned himself? 04:53:58</p> <p>4 A When we made contact with him, he 04:54:00</p> <p>5 immediately went down and put his hands on his 04:54:03</p> <p>6 waist band area underneath his body. 04:54:06</p> <p>7 Q Did he at any time have his hands out to 04:54:17</p> <p>8 the side in a kind of an iron cross position? 04:54:21</p> <p>9 A No. 04:54:25</p> <p>10 Q Did you instruct him to take his hands out 04:54:32</p> <p>11 of his waistband area? 04:54:36</p> <p>12 A We gave him commands to give up his hands 04:54:38</p> <p>13 so he could be able to -- we could be able to 04:54:41</p> <p>14 handcuff him. 04:54:45</p> <p>15 Q Did he comply with those commands? 04:54:46</p> <p>16 A No. 04:54:48</p> <p>17 Q So somebody had a gun on him, correct? 04:54:48</p> <p>18 A Yes. 04:54:54</p> <p>19 Q It was a taser pointed at him, correct? 04:54:55</p> <p>20 A At that time of the -- after the force, 04:55:00</p> <p>21 yes, when the force was going on, there was a taser 04:55:03</p> <p>22 in the patio. 04:55:06</p> <p>23 MR. ALTURA: And I will just make a 04:55:08</p> <p>24 belated objection. Vague and ambiguous as to 04:55:10</p> <p>25 time. 04:55:12</p> <p style="text-align: right;">Page 152</p>
<p>1 A Correct. 04:52:31</p> <p>2 Q All right. 04:52:32</p> <p>3 Who was the first deputy who put their 04:52:43</p> <p>4 hands on Mr. Lockett? 04:52:47</p> <p>5 A I don't recall who was the first deputy, 04:52:52</p> <p>6 but I was in the courtyard. 04:52:56</p> <p>7 Q Okay. 04:53:00</p> <p>8 That day, you put your hands on 04:53:02</p> <p>9 Mr. Lockett; isn't that true? 04:53:04</p> <p>10 A I made contact with Mr. Lockett in the 04:53:05</p> <p>11 courtyard. 04:53:08</p> <p>12 Q Okay. 04:53:08</p> <p>13 Did you strike him with your fists? 04:53:12</p> <p>14 A Once he was on the ground, yes. 04:53:16</p> <p>15 Q After Mr. Lockett was standing in a 04:53:24</p> <p>16 surrendered position, on his knees, hands up, did 04:53:30</p> <p>17 you give any more commands? 04:53:34</p> <p>18 A No. 04:53:37</p> <p>19 Q Did anyone else give any more commands 04:53:38</p> <p>20 that you heard? 04:53:40</p> <p>21 A Not that I heard. 04:53:41</p> <p>22 Q At some point, did Mr. Lockett prone 04:53:45</p> <p>23 himself on the ground? 04:53:48</p> <p>24 Do you know what I mean by "prone"? Face 04:53:51</p> <p>25 down. 04:53:53</p> <p style="text-align: right;">Page 151</p>	<p>1 BY MR. SWEENEY: 04:55:14</p> <p>2 Q And how many deputies were in the 04:55:14</p> <p>3 courtyard at that time when he had his hands under 04:55:16</p> <p>4 him? 04:55:18</p> <p>5 MR. ALTURA: Objection, vague and 04:55:20</p> <p>6 ambiguous as to time. 04:55:21</p> <p>7 THE WITNESS: That I could recall, it was 04:55:23</p> <p>8 myself, Deputy Feria and Embleton. 04:55:25</p> <p>9 BY MR. SWEENEY: 04:55:33</p> <p>10 Q Does Deputy Feria have a tattoo similar to 04:55:33</p> <p>11 yours? 04:55:37</p> <p>12 A Not that I had seen. 04:55:37</p> <p>13 Q Did he ever tell you that he had such a 04:55:40</p> <p>14 tattoo? 04:55:43</p> <p>15 A No. 04:55:44</p> <p>16 Q Did you hear from anyone that he had such 04:55:44</p> <p>17 a tattoo? 04:55:47</p> <p>18 A No. 04:55:47</p> <p>19 Q As far as you know, he does not have a 04:55:50</p> <p>20 tattoo; is that correct? 04:55:51</p> <p>21 A Correct. 04:55:53</p> <p>22 Q All right. 04:55:55</p> <p>23 So what was Deputy Feria's job in this 04:55:57</p> <p>24 plan? 04:56:01</p> <p>25 A His job was to be the contact deputy, just 04:56:04</p> <p style="text-align: right;">Page 153</p>